EXHIBIT 3

DECLARATION OF LIEUTENANT CHAD COPPIN

Pursuant to 28 U.S.C. §1746, I, Chad Coppin, declare as follows:

1. My name is Chad Coppin. I am over 18 years of age and have personal knowledge of and am competent to testify on the matters stated herein.

2. I make this declaration in support of my challenge to Defendants' Department of Defense, Department of Homeland Security, and the U.S. Coast Guard mandates requiring that I be vaccinated against COVID-19. All statements made in this Declaration are true to the best of my own personal knowledge.

3. I currently reside at Juneau, Alaska. My home of record and where I am domiciled is Bellingham, Whatcom County, Washington.

4. On August 15, 2022, I, along with several other military whistleblowers, submitted to all Members of Congress, pursuant to the Military Whistleblower Protection Act, 10 U.S.C. § 1034, a "Memorandum for All Members of Congress from Concerned Service Members" ("Military Whistleblower Memorandum"). *See* Attach. 1. In that letter, we detailed the Defendants' systemic violations of service members' rights to refuse Emergency Use Authorization ("EUA") products. We also submitted evidence demonstrating that the new "Comirnaty-labeled" products offered by Defendants have not been licensed by the Food and Drug Administration ("FDA") and are instead EUA products. In particular, we provided information demonstrating that the "Comirnaty-labeled" vaccine labeling identified it as being from Lot Number FW1331; a Pfizer representative informed us that Lot FW1331 was manufactured in France, rather than the FDA-approved location in Belgium; and the Centers for Disease Control and Prevention ("CDC") website lists Lot FW1331 as an EUA product. *See* Attach. 1, Military Whistleblower Memorandum, ¶¶ 14-15. *See also* Attach. 2, Declaration of 1LT. Mark C. Bashaw

5. On August 26, 2022, the FDA responded to the Military Whistleblower Memorandum in a related proceeding. *See* Attach. 3, *Coker v. Austin*, NDFL Case No. 3:21-cv-1211-AW-HTC, ECF 108 & 108-1 (Aug. 26, 2022) ("FDA Supplemental Declaration"). The FDA Supplemental Declaration includes an April 7, 2022 "Lot Release" letter for Pfizer Lot Number FW1331 that the FDA claims demonstrates that the "Comirnaty-labeled" product offered by Defendants is in fact an FDA-licensed product because it was manufactured in Kalamazoo, Michigan, on January 28, 2022. The FDA Supplemental Declaration does not address, or attempt to rebut, the evidence that the CDC website lists Lot FW1331 as an EUA-only lot.

6. I submit this declaration to refute the FDA's claims and to provide additional evidence showing that the Lot FW1331 is an EUA product as claimed in the Military Whistleblower Memorandum.

7. To date, the FDA has approved three Biologics License Applications for three different formulations and/or manufacturing locations for Pfizer's COVID-19 vaccines (*i.e.*, Comirnaty). The timeline and details for each approval are as follows:

- August 23, 2021: FDA approves the BLA for the original formulation (Purple Cap), Submission Tracking Number ("STN") BL 125742/0, for ages 16 and over to be manufactured in Puurs, Belgium, and Kalamzoo, Michigan. *See* Attach. 4 at 1.
- December 16, 2021: FDA approves the BLA for the Tris/Sucrose formulation (Gray Cap), STN BL 125742/36, for ages 16 and over to be manufactured in Puurs, Belgium (only). *See* Attach. 5 at 1.
- July 8, 2022: FDA approves the BLA for the Tris/Sucrose formulation (Gray Cap), STN BL 125742/45, for ages 12-15 to be manufactured in Puurs, Belgium, Kalamazoo, Michigan, and McPherson, Kansas. *See* Attach. 6 at 1.

8. The April 7, 2022 FDA Lot Release Letter for Lot FW1331 is identified using STN 125742/36 for the December 16, 2021 BLA for the Tris/Sucrose formulation (Gray Cap). The FDA December 16, 2021 BLA approval permits this formulation to be manufactured ***only*** in Puurs, Belgium. The Kalamazoo, Michigan facility was not licensed nor approved to manufacture the

Tris/Sucrose formulation on January 28, 2022 (manufacturing date) or on April 7, 2022 (the lot release date). The Kalamazoo, Michigan facility also was not licensed nor BLA-approved as of June 10, 2022, the date when the Defendant Coast Guard received a shipment of "Comirnaty-labeled" vaccines that I personally inspected, as set forth in the Military Whistleblower Memorandum.

I make this declaration under penalty of perjury, it is true and accurate to the best of my ability, and it represents the testimony I would give if called upon to testify in a court of law.

September 5, 2022

Chad Coppin